Doc Code: AP.PRE.REQ

PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number (Optional) AUS920000344US1

I hereby certify that this correspondence is being transmitted by first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2006. Signature____ /David Victor/ _____ Typed or printed July 19, 2006 name _____	Application Number 09/726,268	Filed November 30, 2000
	First Named Inventor Rabindranath Dutta	
	Art Unit 2152	Examiner Philip C. Lee

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached 5 sheet(s).
        Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
     See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
     (Form PTO/SB/96)

☒ attorney or agent of record.   39,867
     Registration number _____

☐ attorney or agent acting under 37 CFR 1.34.

     Registration number if acting under 37 CFR 1.34 _____

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July 19, 2006
_____
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	R. DUTTA	Examiner	Philip C. Lee
Serial No.	09/726,268	Group Art Unit	2152
Filed	November 30, 2000	Docket No.	AUS920000344US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR PROVIDING ACCESS TIME INFORMATION WHEN DISPLAYING NETWORK ADDRESSES		

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicants request a pre-appeal brief review of the rejection for the following reasons.

1. Request for Review of Rejection of Claims in view of Research Disclosure

Applicants request review of the Examiner's rejection of claims 1, 13, and 15 as anticipated by Research Disclosure (IBM Research Disclosure No. 438161) in the Final Office Action dated April 19, 2006. ("Final Office Action").

Independent claims 1, 13, and 25 concern rendering network addresses of files capable of being downloaded over a network on an output device, and require: generating a list of previously accessed network addresses; for each listed network address, determining a time to download a page and any embedded files in the page from the network address over the network in response to downloading the page and any embedded files from the network address; storing each determined time with the network address for which the time was determined; determining an access time indicator for the network addresses based on the determined times stored with the network addresses, wherein the determined access time indicator is capable of indicating at least two different access times with respect to one network address; and rendering the access time indicator when rendering the network address on the output device.

The Examiner cited the second paragraph of the Research Disclosure (Final Office Action, pgs. 2-3). The cited second paragraph discusses timing the download time for a page. When the user uses the "Back" and "Forward" button in the browser to skip to previously visited web locations, a time value showing how many seconds it took for the user to download a page last time is displayed to the side or below the link in question. The third paragraph of Research Disclosure mentions that user can keep a running average of the transfer times in the personal bookmarks of the user web browser.

Applicants request review because the above cited Research Disclosure does not disclose the claim requirement of determining a time to download a page and any embedded files in the page. The cited Research Disclosure discusses determining a time value of how many seconds to download the page, but does not disclose that the time to download includes both the time to download the page and any embedded files.

Applicants further request review because the above cited Research Disclosure does not disclose the claim requirement of determining an access time indicator for the network addresses based on the determined times stored with the network addresses, wherein the determined access time indicator is capable of indicating at least two different access times with respect to one network address.

The cited para. 2 of the Research Disclosure discusses displaying the time value to download the page. However, the claims require determining an access time indicator from the determined times to download the page and embedded files. Nowhere does the cited para. 2 disclose providing an access time indicator that is different from the time value to download the page as claimed. The claims require that the access time indicator is separate from the time to download the page.

Both the cited paragraphs 2 and 3 discuss displaying the actual time or a running average of the transfer time for the accessed web locations. Nowhere does this discussion anywhere disclose an access time indicator that is capable of indicating at least two different access times for one network address. The time value and running average time mentioned in the cited Research Disclosure can have only one value, their actual calculated value. Thus, these actual calculated time values provided with the accessed web locations in Research Disclosure do not disclose the claim requirement that the determined access time indicator is capable of indicating at least to different access times for one network address because the cited time values can have only one value, their actual calculated value.

2. <u>Request for Review of Rejection of Claims in view of Research Disclosure</u>

Applicants request review of the Examiner's rejection of claims 6, 18, and 30 as obvious (35 U.S.C. §103) over Research Disclosure in view of Barrett (U.S. Patent No. 5,727,129). (Final Office Action, pg. 5)

Claims 6, 18, and 30, depend from claims 1, 13, and 25, and further require the output device comprises a display monitor, wherein the file accessed from the network address comprises a page to display on the display monitor, and wherein the network address to render comprises a network address included in the page to display within the displayed page.

Applicants request review of the Examiner's finding that the cited col. 8, lines 49-61 and col. 10, lines 19-27 of Barrett (Final Office Action, pg. 5) teaches the claim requirements that the file, i.e., the embedded file, accessed from the network address comprises a page to display, and that the network address to render comprises a network address included in the page to display within the displayed page. Thus, these claims require rendering network addresses of pages included in the page to display. Further, because base claim 1 requires rendering the access time indicator when rendering the network address, the access time indicator for the network address of the embedded file would be rendered when rendering the network address of the embedded files in the displayed page.

The cited col. 8 mentions a page showing URLs of a currently displayed page and previously visited pages, along with statistical information on the previously visited pages. The cited col. 10 discusses a display of a web visitation history, where a presently visited URL is displayed as well as past or future generated pages. Applicants request review because nowhere do this cited cols. 8 and 10 anywhere teach or suggest rendering an access time indicator of a network address included in a page to display that is embedded in the page to display. Instead, the cited cols. 8 and 10 mention a web page providing information on a current page and previously visited pages, including statistical information on previously visited web pages (FIG. 8).

Applicants further request review of the Examiner's rejection of dependent claims 9, 21, and 33 over Research Disclosure in view of Barrett and Barrick (U.S. Patent No. 6,625,647). (Final Office Action, pg. 7) These claims recite that generating the list of previously accessed network addresses with access time ratings comprises: calculating an expected access time from the stored determined times for each network address and determining an access time rating from the expected access time, wherein the access time indicators are determined for network addresses from the access time ratings for the network addresses.

Applicants request review of the Examiner's finding that col. 8, lines 7-17 of Barrick teaches the claim requirement of determining an access time rating from the expected access

time, wherein the access time indicators are determined for network addresses from the access time ratings for the network addresses. (Final Office Action, pg. 7).

The cited col. 8 mentions that instead of sending a download time, sending a qualitative assessment of a download time relative to an absolute scale as part of an agent sending a performance report. Although the cited col. 8 discusses determining a rating or assessment of a download time, nowhere does the cited col. 8 anywhere teach or suggest providing an assessment of a download time for network addresses for files in a page, where the access time rating is displayed in the downloaded page with the network address.

Applicants further request review of the Examiner's rejection of dependent claims 11, 23, and 35 over Research Disclosure in view of Schneider (U.S. Patent No. 6,760,746). (Final Office Action, pgs. 7-8)

These claims depend from claims 1, 13, and 25 and further requires that rendering the access time indicator when rendering the processed network address further comprises: receiving characters of a network address a user inputs into an address field displayed on the output device; determining a set of network addresses from the list of previously accessed network addresses that begin with the received characters; determining the access time indicator for each of the determined network addresses in the set based on the stored determined times for each network address; and rendering the determined access time indicator for each network address with the network address in a list of network addresses, wherein a user is capable of selecting one of the rendered network addresses to substitute for the received characters to enter into the address field.

Applicants request review of the Examiner's finding that col. 7, lines 7-20 of Schneider teaches the additional requirements of these claims. (Final Office Action, pg. 8) The cited col. 7 mentions that entering a URL is a means to access content from the URL, which is an important design features for Web browsers. The cited col. 7 further mentions an autocomplete feature. Although the cited col. 7 mentions autocomplete, nowhere does either cited reference teach or suggest the combination of requirements of rendering access time indicators for each network address in a list that begins with the receive characters the user entered. For instance, nowhere doe the cited references anywhere teach or suggest displaying access time indicators with addresses suggested with the autocomplete feature.

Applicants request review of the Examiner's rejection of claims 10, 22, and 34 as obvious over Research Disclosure, Barrett, and Killian (U.S. Patent No. 6,438,592). (Final Office Action, pgs. 9-10)

These claims depend from claims 6, 18, and 30 and further require that the page is implemented in a markup-language including tagged elements, further comprising: generating a document object including nodes for the tagged elements; generating a node for each network address included in the page; and generating an attribute for each network address node implementing the access time indicator determined from the network address, wherein the page is rendered from the document object.

Applicant's request review of the Examiner's finding that col. 12, lines 54-62 of Killian teaches the additional requirements of these claims. (Final Office Action, pgs. 9-10) The cited col. 12 mentions that a web page is a composite data object in the sense that it has images that which cause image objects to be downloaded to be displayed as part of the web page. Nowhere does this cited col. 12 teach, suggest or mention the claim requirements of generating in a document object a node for each network address in the page as a tagged element and then generating for each network address node an attribute implementing the access time indicator determined for that network address. Instead, the cited col. 12 mentions that a web page is a composite data object having images.

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